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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Typed or Printed Name	Mathew Otts		
Signature		Date	January 19, 2001

**NON FEE
TRANSMITTAL**

*Note: Effective October 1, 1998.
Patent fees are subject to annual revision.*



Customer Number	24353
Attorney Docket	GRUE-003
First Named Inventor	Bujard
Application Number	09/269,874
Filing Date	August 2, 1999
Group Art Unit	1641
Examiner Name	J. Grun
Title	Recombinants Process for Preparing a Complete Malaria Antigen, GP190/MSP1

Enclosed are the following documents:

- 1) Response to Restriction Requirement and Notice to Comply and Preliminary Amendment (3 pages)
- 2) Copy of Notice to Comply
- 3) Sequence Listing (diskette and hard copy, 8 pages)
- 4) Return Postcard

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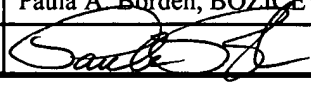
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CLAIMS

<u>No. of claims as filed or after amendment</u>		<u>Most claims previously paid</u>		<u>Extra claims</u>		<u>Fee from below</u>		<u>Fee Due</u>
Total claims	41	-	20	=	00	x	--	=
Ind. claims	04	-	3	=	00	x	--	=
Multiple Dependent claims						x		=


Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
109	80	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of and over original patent

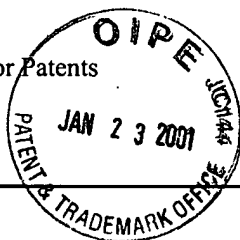
SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	Paula A. Borden, BOZICEVIC, FIELD & FRANCIS LLP			Reg. Number	42,344
Signature		Date	Jan. 19, 2001	Deposit Account	50-0815

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Typed or Printed Name	Mathew Otts		
Signature		Date	January 19, 2001
RESPONSE TO RESTRICTION REQUIREMENT AND NOTICE TO COMPLY AND PRELIMINARY AMENDMENT Address to: Assistant Commissioner for Patents Washington, D.C. 20231		Attorney Docket	GRUE-003
		First Named Inventor	Bujard
		Application Number	09/269,874
		Filing Date	August 2, 1999
		Group Art Unit	1641
		Examiner Name	J. Grun
		Title	Recombinants Process for Preparing a Complete Malaria Antigen, GP190/MSP1



Sir:

This is in response to the Office Action dated December 19, 2000, which set a one-month period for response, making this response due on or before January 19, 2001. Accordingly, this response is timely filed..

Restriction Requirement

In the Office Action dated December 19, 2000, the Examiner required election of one of the following groups of claims:

- Group I, including claims 42-49 and 53-57, directed to a method of producing a protein;
- Group II, including claims 50-52, directed to a method of producing a nucleotide sequence;
- Group III, including claims 58-69, 70-72, 73-78 and 81, directed to a group of related products (encoding nucleic acids, vectors comprising the nucleic acids, and host cells comprising the nucleic acids) sharing a technical feature (i.e., nucleic acids);
- Group IV, including claim 80, directed to a given product (vaccine composition);
- Group V, including claim 79, directed to a therapeutic method using a protein product; and
- Group VI, including claim 82, directed to a method of stabilizing a gene sequence.

Applicants hereby elect to prosecute the claims of Group I, claims 42-49 and 53-57. This election is made with traverse. Applicants expressly reserve the right under 35 USC §121 to file a divisional application directed to the non-elected subject matter during the pendency of this application. As stated in the MPEP §803, if search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. It is Applicants' position that it would not be unduly burdensome to perform a search on claims 58-82 together. Accordingly, Applicants traverse the restriction requirement.

Prior to examination, please amend the subject application as follows:

In the specification:

Please insert the separately numbered Sequence Listing submitted herewith directly after the last page of the specification.

The amendments to the specification are made solely to insert the Sequence Listing.

No new matter is introduced by these amendments.

Sequence Listing

This communication is responsive to the Examiner's request to comply with Sequence Listing Requirements Under 37 C.F.R. §§1.821-1.825. A copy of the Notice to Comply is enclosed.

A Sequence Listing in computer readable form as required by 37 CFR §1.824 is submitted herewith. In addition, applicant submits a Sequence Listing as required under 37 CFR §1.823(a) and a statement under 37 CFR §1.821(b).

I hereby state that this Sequence Listing submission, filed in accordance with 37 CFR §1.821(g), does not contain new matter. Furthermore, as per 37 CFR §1.821(f), I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively, are the same and that the sequence listings contain no new matter.

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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